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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: N.D. Richards
TAKAHISA KATO, ET AL.)	
	:	Group Art Unit: 2815
Application No.: 10/608,111)	
	:	
Filed: June 30, 2003)	
	:	
For: MICROSTRUCTURE AND ITS)	September 13, 2004
FABRICATION METHOD	:	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Applicants respectfully traverse the restriction requirement set forth in the Office Action mailed August 18, 2004.

The Office Action alleges that the claim groups are distinct because they are related as a product made and a process of making and because different searches are required for Groups I and II. These contentions are respectfully traversed. It is submitted that the amount of effort required by the U.S. Patent and Trademark Office would be lessened by permitting all of the claims presently in the application to be prosecuted in a single application. The alternative is to proceed with the filing of another application, consisting of the same disclosure, and being subjected to substantially the same search, perhaps by a different Examiner on a different occasion, with the resultant burden on the Patent and Trademark Office. Accordingly, it is

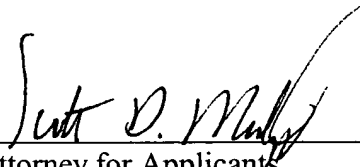
respectfully requested that the Examiner reconsider the requirement for restriction and allow the claims presently in the application to be prosecuted in a single application.

Nevertheless, in order to comply with the requirements of 37 C.F.R. §1.143, Applicants provisionally elect the claims of Group I, namely Claims 1-11.

Due consideration and prompt passage to issue are respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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